



Complaints Procedure Policy

For all schools in Crofty Multi Academy Trust

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Review Date: March 2019

1. INTRODUCTION

- 1.1 The school is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair, and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.
- 1.2 A concern or complaint can be made by anyone, not just parents of attending pupils.
- 1.3 All school staff will be made aware of complaints procedures and expected to review this policy regularly so that they are familiar with the process and can be of the most assistance when an issue is brought to their attention.
- 1.4 This policy explains the different complaints stages that should be followed by all pupils and/or parents whenever an issue arises that cause them concern.
- 1.5 **This policy does not apply to complaints about:**
 - (a) Pupil admissions
 - (b) Pupil exclusions
 - (c) Statutory assessments of Special Education Need (SEN)
 - (d) Matters likely to require a Child Protection Investigation
 - (e) Staff grievance and disciplinary procedures
 - (f) Whistleblowing
- 1.6 Each of these follows its own process of complaints and appeals which are outlined in their relevant policies.

2. RAISING A CONCERN

- 2.1 We encourage any person to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.
- 2.2 Many concerns can be resolved informally, without the need to invoke formal procedures. However, we take informal concerns seriously and take every effort to resolve the matter as quickly as possible.
- 2.3 If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing. You will then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.
- 2.4 If you are a parent or pupil, you may wish to approach your child's class teacher first as they will be best placed to help you either directly or by figuring out which other member of staff you should be speaking to.

If your complaint is about a member of school staff, you should first raise this with the headteacher either in person or in writing, and a meeting can be arranged with the headteacher to discuss the issue at hand.

If your complaint is about the headteacher, you should raise your concern in writing with the chair of governors.

If your complaint is about a governor, you should raise your concern in writing with the clerk to the governing body.

- 2.5 The chair of governors may refer complaints that are taken straight to them back to the appropriate member of staff if they do not warrant the governing body's involvement at that point.

Initial informal meeting

- 2.6 Once a concern has been raised you may be invited to attend an informal meeting with a member of staff, the headteacher or the chair of governors to

discuss your concerns.

- 2.7 You are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent to this meeting. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.
- 2.8 Staff have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.
- 2.9 All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to the headteacher.

3. FORMAL COMPLAINTS

- 3.1 In order to ensure that complaints are processed efficiently and effectively, we deal with formal complaints in three stages:

Stage 1

- 3.2 If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the headteacher. See appendix 1.
- 3.3 The headteacher should acknowledge your complaint in writing within 14 days. They may already be aware of the situation. They will outline their decision if there is one to be made, and any action to be taken as a result of your complaint.
- 3.4 The headteacher may call you in for a meeting to discuss the issue outcome, possible solutions, or to explain what has or will happen as a result of your complaint.

- 3.5 The headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.
- 3.6 If the complaint is against a member of staff, the headteacher will talk to that employee. If it is an allegation of abuse, a formal investigation may be instigated by the school or external child welfare authorities to whom the school reports. Please refer to our **allegations of abuse against staff policy** for an outline of this procedure.
- 3.7 The headteacher will respond to you in writing within 28 days outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right to take the matter further and the steps to be taken.

Stage 2

- 3.8 If, having spoken to the headteacher, you are dissatisfied with the outcome of your complaint; you may lodge your complaint with the chair of governors in writing, explaining your concern and the steps that have lead up to you taking this course of action. See appendix 2.
- 3.9 If the complaint is against a member of staff, that employee will be given the opportunity to write a response, which will be sent to the chair of governors within 14 days of the complaint being lodged with them.
- 3.10 The chair of governors will respond to you in writing within 28 days outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right of appeal and how you can start your appeal.

4. APPEALS

Stage 3

- 4.1 If you would like to lodge an appeal following the outcome of a formal complaint at stage 2, this will be taken to the appeals panel of the governing body. You should write to the clerk to the governing body to exercise this right. The clerk to governors will acknowledge your appeal and make the necessary arrangements, and will usually convene the appeal panel within 14 days from the acknowledgement being sent. Where it is not possible to find a mutually convenient date within that timescale, a further timescale will be agreed with you.
- 4.2 The clerk will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents.

The appeals panel

- 4.3 The appeals panel will be made up of members of the governing body. No member of the governing body can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The panel will consist of between 3 and 5 governors and a chair will be nominated from within that group. All panel members will be familiar with and have access to the complaints policy.
- 4.4 The panel will give careful consideration to how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to present or explain information.
- 4.5 If you are making a complaint and you are a parent of a pupil, the hearing panel will comprise of at least 3 people not directly involved in the matters detailed in the complaint and 1 of the panel members will be independent of the management and running of the school.

Appeals procedure

4.6 The procedure for an appeal is as follows:

- (a) The complainant and headteacher will enter the hearing together.
- (b) *The chair will introduce the panel members and outline the process.*
- (c) *The complainant will explain the complaint.*
- (d) *The headteacher and panel will question the complainant.*
- (e) *The headteacher will explain the school's actions.*
- (f) *The complainant and panel will question the headteacher.*
- (g) *The complainant will sum up their complaint.*
- (h) *The headteacher will sum up the school's actions.*
- (i) *The chair will explain that both parties will hear from the panel in writing within 14 days.*
- (j) *Both parties will leave together while the panel decides.*
- (k) *The clerk will stay to assist the panel with its decision making.*

4.7 The chair of the panel/clerk to governors will notify the complainant of the panel's decision in writing within 14 days of the appeal hearing. The letter will set out the decision of the panel together with the reasons underpinning that decision. The letter may set out recommendations which will be made to the governing body and will set out any further rights of appeal.

The appeals panel may:

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint
- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

4.8 The panel's decision is final. If you are unhappy with the outcome, you may wish to put your complaint to the Secretary of State. Complaints should be sent to the School Complaints Unit, DfE, 2nd Floor, Piccadilly Gate,

Manchester M1 2WD.

5. EDUCATION FUNDING AGENCY

5.1 The Education Funding Agency (EFA) handles complaints about academies and free schools. The EFA will look at complaints that fall into the following areas:

- (a) Undue delay or non-compliance with an academy's own complaints procedure;
- (b) An academy's failure to comply with a duty imposed on it under its funding arrangement with the Secretary of State;
- (c) An academy's failure to comply with any other obligation, unless there is another organisation better placed to consider the matter as set out in the next section.

5.2 The EFA will not overturn our decision about your complaint. However, if they find that we did not deal with your complaint properly they will request the complaint is looked at again and procedures meet the requirements set out in the Regulations.

5.3 You can contact the EFA for more information via the schools complaints form which is accessible online at:

<https://www.gov.uk/government/organisations/education-funding-agency>

6. VEXATIOUS COMPLAINTS

6.1 Whilst it is hoped that this policy will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where you continue to be dissatisfied with the school and the outcomes achieved under this policy. Unfortunately, the school will have done everything we can to resolve the complaint.

6.2 Where you contact us to re-open an issue which has already been dealt with under the complaints policy, the chair of governors will contact you to inform

you that the matter has already been dealt with and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to respond to that correspondence.

7. GOVERNING BODY – REVIEW AND MONITORING OF COMPLAINTS

- 7.1 The school will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.
- 7.2 The governing body will review the complaints policy every year.

Please complete this form and return it, via the school office, to the Head Teacher (or Clerk to the governing body), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school (e.g. parent of a pupil on the school roll):

.....

Pupil's name (if relevant to your complaint):

.....

Your Address:

Telephone numbers

Daytime:

Evening:

e-mail address:

Please give concise details of your complaint, (including dates, names of witnesses etc...), to allow the matter to be fully investigated.:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

What actions do you feel might resolve the problem at this stage?

Signature:

Date:

School use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:			
Date:			

Appendix 2

Complaint Review Request Form

Please complete this form and return it to Head Teacher (or Clerk to the governing body), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Your Address:

Telephone numbers:

Daytime:

Evening:

e-mail address:

Dear Sir

I submitted a formal complaint to the school on and am dissatisfied by the procedure that has been followed.

My complaint was submitted to and I received a response from on

I have attached copies of my formal complaint and of the response(s) from the school.

I am dissatisfied with the way in which the procedure was carried out, because:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What actions do you feel might resolve the problem at this stage?

Signature:

Date:

School use

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:			
Date:			